

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERICA BLOOM SIMCHON, : Civil No. 3:15-CV-01434
ISAAC SIMCHON, NICHOLAS :
PADULA, ALIZA SEIBERT, and :
ANDREW SIEBERT, on behalf of :
themselves and others similarly situated, :
 :
Plaintiffs, :
 :
v. :
 :
HIGHGATE HOTELS, LP, :
COVE HAVEN, INC., and :
STARWOOD HOTELS & RESORTS :
WORLDWIDE, INC., :
 :
Defendants. : Judge Jennifer P. Wilson

ORDER

AND NOW, on this 8th day of September, 2020, in accordance with the accompanying memorandum of law, **IT IS ORDERED** as follows:

- 1) Defendant Starwood Hotels & Resorts Worldwide, Inc.’s (“Starwood”) motion for oral argument, Doc. 199, is **DENIED**.
- 2) Starwood’s motion for summary judgment, Doc. 154, is **GRANTED**.
- 3) Because Plaintiffs Erica Bloom Simchon and Isaac Simchon lack standing to proceed on their claim against Starwood, they similarly lack standing to proceed on their claim against Cove Haven, Inc. for the relevant time period, and thus, Cove Haven, Inc. is **DISMISSED** from this action.

- 4) Defendants Highgate Hotels, LP and Cove Haven, Inc.’s motion for summary judgment, Doc. 155, is **DENIED AS MOOT** based on the June 9, 2020 stipulation of dismissal, Doc. 211.
- 5) Plaintiffs Erica Bloom Simchon and Isaac Simchon’s motion for class certification against Starwood and Cove Haven, Inc., Doc. 159, is **DENIED AS MOOT**.
- 6) The Clerk of Court is directed to enter judgment in favor of Starwood and Cove Haven, Inc. and close this case.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania